

fees until final judgment removing him, and that such salary, fees or compensation, collected by the temporary officer shall be paid to the suspended officer, and that during appeal from a judgment removing an officer, such salaries, fees and compensation shall not be received by him unless he give a supersedeas bond therefor, and that an appeal shall not suspend the order temporarily removing such officer; providing that the temporary officer shall receive the same salary or compensation provided by law to be paid by the State out of an appropriation to the Governor for the enforcement of the law; fixing jurisdiction and venue of such suits; providing that such officer may not be removed under this Act for failure to enforce misdemeanor statutes, excepting laws pertaining to gambling or prostitution, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time.

Senator Woods moved to adopt the minority committee report which recommended that the bill do pass.

Senator Bailey moved the previous question on the motion and the main question was ordered.

Question: Shall the minority favorable report be adopted?

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—9.

Baugh.	Rogers.
Bledsoe.	Stuart.
Floyd.	Turner.
Pollard.	Woods.
Ridgeway.	

Nay—11.

Bailey.	Holbrook.
Clark.	Murphy.
Cousins.	Rice.
Darwin.	Watts.
Davis.	Wirtz.
Fairchild.	

Present—Not Voting.

Strong. Thomas.

(Pairs Recorded.)

Senator Wood (present), who would vote yea; with Senator Doyle (absent), who would vote nay.

Senator Burkett (present), who would vote nay; with Senator Witt (absent), who would vote yea.

Senator McMillin (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Parr (present), who would vote nay; with Senator Bowers (absent), who would vote yea.

Senator Bailey moved to reconsider the vote by which the minority report was lost and to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—11.

Bailey.	Holbrook.
Clark.	Murphy.
Cousins.	Rice.
Darwin.	Watts.
Davis.	Wirtz.
Fairchild.	

Nays—9.

Baugh.	Rogers.
Bledsoe.	Stuart.
Floyd.	Turner.
Pollard.	Woods.
Ridgeway.	

Present—Not Voting.

Strong. Thomas.

(Pairs Recorded.)

Senator Parr (present), who would vote yea; with Senator Bowers (absent), who would vote nay.

Senator Burkett (present), who would vote yea; with Senator Witt (absent), who would vote nay.

Senator Wood (present), who would vote nay; with Senator Doyle (absent), who would vote yea.

Senator McMillin (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

### Adjournment.

On motion of Senator Murphy, the Senate at 10:05 p. m. adjourned until 9:30 o'clock a. m. tomorrow.

### FOURTEENTH DAY.

Senate Chamber,  
Austin, Texas.  
Friday, May 4, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Bailey. Davis.

Absent—Excused.

Witt.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

(President Pro Tem Murphy in the Chair.)

#### Bills on First Reading.

The following bills, introduced today, were each read first time and referred to appropriate committees as follows:

By Senator Murphy:

S. B. No. 75, A bill to be entitled "An Act to provide for the organization of corporations for the purpose of borrowing and loaning money to their members only and for the discount and re-discount of notes, or other evidences of indebtedness, for their members, and authorizing such corporations to become endorsers on notes, or other evidences of indebtedness of their members; providing that such notes, or other evidences of indebtedness, are made for the purposes provided in the Federal 'Agricultural Credits Acts of 1923,' and for the purpose of loaning money to their member stock holders—where the money is to be used for the production, or production and marketing of staple agricultural productions, or

for the raising, breeding, fattening or marketing of live-stock, and the purchase and payment for capital stock of such corporation; providing that no corporation shall be organized under the provision of this Act with a capital stock of less than \$10,000.00, all of which shall be fully paid in at the time of filing the Articles of Incorporation and such capital stock shall be invested in securities approved for investment by savings banks under the laws of Texas; and providing that such corporations shall by their by-laws provide for the automatic increase of their capital stock, and authority is given for such automatic increase, providing that such capital stock shall be increased at the rate of ten per centum of the amount of loans made by such corporations; and providing that such corporations shall not make loans in excess of ten times their unimpaired capital stock represented by that part of its capital automatically increased; and providing that such corporations may by their Articles of Incorporation provide for preferred and common stock, and if provision be made for preferred stock—the Articles of Incorporation shall provide for payment of dividends thereon, and for the retirement of both classes of stock; and providing that banking or other corporations, except savings banks, may—upon the approval of the Commissioner of Banking and Insurance—first had and obtained, invest in the preferred stock of such corporation; and providing also the requirements to be set out in the Articles of Incorporation of such corporations; and providing for the filing of reports with the Secretary of State and the payment of fees therefor, and defining the liability of stockholders, preferred or common, for the debts or engagements of such corporations; and providing the maximum amount of interest; and providing for the suspension of the constitutional rule and declaring an emergency."

To the Committee on Insurance and Banking.

By Senator Murphy:

S. B. No. 76, A bill to be entitled "An Act to enable the citizens of the State of Texas to avail themselves of the provisions of the Act of Congress of the United States of America, approved March 4th, 1923, and

known as the Agricultural Credits Act of 1923, and to provide for the creation of private co-operative credit associations by citizens of the State of Texas engaged in the production or marketing of staple agricultural products or the raising, breeding, feeding, fattening or marketing of live-stock; and providing that such co-operative credit associations shall have the power to borrow for, and lend money to their members; to discount or rediscount for their members only, and to purchase, indorse and sell the notes of its members or such other evidences of indebtedness as may be discounted or rediscounted under the provisions of the Federal 'Agricultural Credits Act of 1923,' and under the terms, rules and regulations prescribed by the Federal Farm Loan Board, with such other and additional powers as are conferred upon associations generally, organized under the laws of this State, where not in conflict with the express provisions hereof; authorizing such co-operative credit associations to be organized with or without capital stock, provided that such co-operative credit associations organized for the purposes of raising, breeding, feeding, fattening or marketing live-stock shall not be organized hereunder with capital stock, the initial amount of which must be stated in the articles of incorporation and that the articles of incorporation shall provide that loans shall not be obtained for, made to, or notes purchased of any person or corporation other than a stockholder in such association and that each applicant for a loan or discount by such association shall become a subscriber to its capital stock in an amount equal to ten per centum of the amount of the loan or discount applied for and that upon or before the closing of such loan such capital stock shall be fully paid for; and providing that the capital stock of such associations shall be automatically increased with the increase of the loans and discounts of such associations and that the amount of loans or discounts by such associations shall never be in excess of ten times the amount of paid-up, unimpaired capital stock of such association; providing for the retirement of capital stock; providing that this Act shall be cumulative of all other general laws of this State affecting corporations organized thereunder and

providing for the payment of fees for the filing of articles of incorporation of co-operative credit associations hereunder and for the making of quarterly and annual reports to the Secretary of State and the payment of fees upon filing of such reports and the exempting of such co-operative credit associations from the payment of any other license or franchise tax; and declaring an emergency."

To the Committee on Insurance and Banking.

By Senator Murphy:

S. B. No. 77, A bill to be entitled "An Act to amend Section 10 of Chapter 3 of the General Laws of the State of Texas, enacted by the Third Called Session of the Thirty-third Legislature approved October 19, 1914, by adding a subdivision thereto to be designated (d½) providing that liabilities incurred under the provisions of the Federal 'Agricultural Credits Act of 1923,' shall not be taken into account in determining the amount of indebtedness or liability of banking corporations incorporated under the laws of this State, and declaring an emergency."

To the Committee on Insurance and Banking.

By Senator Fairchild:

S. B. No. 78, A bill to be entitled "An Act to amend Article 7508, of Chapter 11, Title 126, and Articles 7547, 7548 and 7551, and to repeal Articles 7549 and 7550 of Chapter 12, Title 126, of the Revised Civil Statutes of 1911, pertaining to the rendition and assessment of property to and by the county tax assessor."

To the Committee on State Affairs.

By Senator Murphy:

S. B. No. 79, A bill to be entitled "An Act making an appropriation to be used in the erection of a monument in the city of Houston in memory of Sam Houston, who headed the military forces in Texas' struggle for freedom and who was President of the Republic of Texas; said appropriation to be used together with other funds for said purpose from private donations; providing the means, agencies and expenditure of said fund and erection of the monument; and declaring an emergency."

Referred to Committee on Finance.

By Senators Fairchild, Pollard, Darwin, Cousins:

S. B. No. 80, A bill to be entitled "An Act to provide additional compensation for the members of the Railroad Commission of Texas, payable one-half out of the Regulating Pipe Line Fund created by Section 11, Chapter 30, Acts of the Regular Session of the Thirty-fifth Legislature, approved February 20, 1917, and one-half out of the 'Gas Utilities Fund' created by Section 11, Chapter 14, Acts of the Third Called Session of the Thirty-sixth Legislature, approved June 12, 1920, said sums to be paid in monthly installments by warrants drawn by the State Comptroller on the State Treasurer, as provided in said Acts for other salaries and expenses, and declaring an emergency."

To the Committee on Finance.

By Senators Fairchild, Pollard, Darwin, Cousins:

S. B. No. 81, A bill to be entitled "An Act to authorize and empower the Railroad Commission of Texas, upon complaint and after hearing, to award damages to shippers of goods, wares and merchandise between points in Texas where the Railroad Commission finds that the railroad, or other common carrier subject to the jurisdiction of the Commission, transporting such freight has charged unjust and unreasonable rates therefor; providing for suits in courts of competent jurisdiction to enforce the award of damage found by the Railroad Commission upon the failure or refusal of the railroad, or other common carrier, to pay to the shipper the award so found; providing for reasonable attorneys' fees in such suits where shippers prevail; providing that this Act shall be cumulative of other laws regulating railroads and other common carriers and conferring jurisdiction upon the Railroad Commission, except in case of conflict; providing that one Commissioner, or a designated examiner, may hold all hearings and make a record thereof, upon which record the Commission may make its findings; providing that in the event any section of this Act shall be declared unconstitutional that such finding shall not affect the remainder of the Act, and declaring an emergency."

To the Committee on State Affairs.

By Senator Holbrook:

S. B. No. 82, A bill to be entitled "An Act to create and provide for a Department of Banking for the State of Texas, separate from the Department of Insurance of this State, to provide for the appointment, term of office, official name, compensation and to prescribe the qualifications, powers and duties of the head of such department; providing for a seal of office; requiring of the Banking Commissioner of Texas an oath of office and a bond for the faithful discharge of his duties; providing for the appointment of a Deputy Commissioner of Banking, defining his duties, fixing his compensation, requiring of him an oath of office and a bond for the faithful discharge of the duties of his office; providing clerical help for such department; providing for the appointment of State Bank Examiners, fixing their number, salaries and duties; providing for the number of examinations that shall be made by State Examiners of State Banks, fixing the fees they shall be paid for such examinations and providing how payments for salaries and expenses of examinations shall be made; providing for the appointment of a departmental examiner, prescribing his duties and fixing his compensation; providing for the appointment of a General Liquidating Agent prescribing his duties and fixing his compensation; amending Chapter 10, General Laws of Texas, passed by the First Called Session of the Twenty-ninth Legislature in 1905, being Senate Bill No. 6, and amending Section 38 of said Chapter 10; amending Chapter 205, General Laws of the Thirty-fifth Legislature, passed at the Regular Session in 1917 and amending Section 5 of said Chapter 205; amending Chapter 15 of the Second Called Session of the Thirty-first Legislature passed in 1909, being Senate Bill No. 4; amending Articles 518, 519, 521, 521a and 522, Revised Civil Statutes of 1911 and amendments thereof, as amended by the Acts of the Thirty-first Legislature at its Regular Session in 1909, being Section 44 of Chapter 15 of Senate Bill No. 4, and Article 521a, Revised Civil Statutes of 1911 and amendments thereof, as amended by Chapter 205, Section 7, Acts of the

Thirty-fifth Legislature at its Regular Session in 1917; repealing all laws and parts of laws, in conflict herewith, and declaring an emergency.

To the Committee on Insurance and Banking.

By Senator Burkett:

S. B. No. 83, A bill to be entitled "An Act creating the Parks Independent School District in Stephens County, Texas; defining its boundaries; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the appointment of a tax assessor and collector and board of equalization for said district; and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Burkett:

S. B. No. 84, A bill to be entitled "An Act to create the Roscoe Independent School District in Nolan County, Texas, including the present Roscoe Independent School District; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas for school purposes only; providing that the board of trustees of the present Roscoe Independent School District shall continue to act as such until their successors are elected in accordance with the provisions of this Act and the General Laws of Texas, and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Burkett:

S. B. No. 85, A bill to be entitled "An Act to amend Section 1, Chapter 9, of the Acts of the Regular Session of the Thirty-seventh Legislature of

the State of Texas, so as to include among the purposes for which the city council or governing body of any city or town in this State having a population of 5,000 or less may levy, assess and collect taxes, the following: Construction or the purchase of public buildings, water works, sewers, electric lights, gas lights, gas mains, parks, market squares, and other permanent improvements, within the limits of such city or town, and for the construction and improvement of the roads, bridges and streets of such city or town within its limits; and declaring an emergency."

To the Committee on Towns and City Corporations.

By Senator Stuart:

S. B. No. 86, A bill to be entitled "An Act to amend Sections 3 and 20 of House Bill No. 13 passed at the Regular Session of the Thirty-eighth Legislature and approved by the Governor on February 28, 1923, and being an Act providing for the licensing, bonding and regulating of private employment agents; limiting the fee charged by such agents; providing for the cancellation of such license; prescribing the duties of the Commissioner of Labor Statistics for the State of Texas with reference to the enforcement of this Act; providing for recoveries on said bond; fixing penalties for the violation of this Act; creating a special fund for the enforcement of this Act and appropriating same for said purposes; repealing certain laws and all laws or parts of laws in conflict herewith; and declaring an emergency, and to further amend said House Bill 13 by adding after Section 20 thereof a new section to be known as Section 20a. The purpose of these amendments is to permit the issuance of licenses to residents of this State to engage in the business of employment agents; to remove discrimination against alien residents of this State who desire to engage in said business; to require certain statements to be made in application for license and to fix the amount and form of bond required to be given by those who are licensed to engage in the business; and to define certain offenses and prescribe penalties therefor; and to provide for restraining by injunction of any person or persons

pursuing the business of employment office without first having obtained a license therefor; and declaring an emergency."

To the Committee on Labor.

By Senator Bowers:

S. B. No. 87, A bill to be entitled "An Act to amend Sections 2 and 10 of House Bill No. 13 passed at the Regular Session of Thirty-eighth Legislature, relating to the regulation, licensing and bonding of private employment agents so as to exempt from the operation of said bill those agents engaged in the business of securing employment for school teachers, and declaring an emergency."

To the Committee on Educational Affairs.

#### H. C. R. No. 5.

The Chair laid before the Senate H. C. R. No. 5, as follows:

Whereas, The government of the United States and the government of Mexico have exchanged communications bearing upon the diplomatic relations of the respective countries; and

Whereas, These communications have resulted in the selection of a Commission representing each government whose duties shall be to mediate the differences of view point which have arisen between the two governments and heretofore have prevented a full and complete understanding in their international relations;

Therefore, Be it resolved, by the House of Representatives, the Senate concurring;

That we heartily approve of the course of the government of the United States in seeking to establish closer and friendlier relations between the United States and Mexico; and

Be it Further resolved, That the Legislature of Texas hereby tenders its sincere congratulations and best wishes to the Commissioners and we hope for the speedy adjustment of the measures submitted to their arbitrament, to the end that the United States may accord recognition to the government of Mexico, thus bringing about the most cordial

diplomatic relations between the two great Republics of North America.

Resolved, That a copy of this resolution be communicated to Secretary of State Hughes at Washington, and President Alvaro Obregon at Mexico City.

The resolution was read and adopted.

#### H. C. R. No. 7.

The Chair laid before the Senate H. C. R. No. 7, as follows:

Whereas, Measures have been introduced in the House of Representatives seeking to abolish and consolidate a number of important departments of the State government; and

Whereas, The members of the Thirty-eighth Legislature are desirous of seeing the State government administered at the lowest possible cost and with the greatest efficiency to the end that the taxpayers may realize the service from their investments of tax money; and

Whereas, It is necessary that all possible information be furnished the members of the Legislature to the end that they may act intelligently upon the measures that seek to abolish and consolidate the aforesaid State departments;

Therefore, Be it Resolved, by the House of Representatives, the Senate concurring, that public joint hearings of the House and Senate committees to whom were referred the above mentioned measures, be held for the enlightenment of the membership of the House and Senate; that heads of the several departments affected be requested to appear before said joint hearings to be questioned as to the duties and cost of operation and maintenance of the several departments; and that heads and members of farmers and stockmen's organizations favoring and opposing such consolidations and abolition be invited to appear before such joint hearings to give their views on the proposals; to the end that fair, reasonable and economic action may be taken by the members of the House and Senate in passing upon the proposed measures.

The resolution was read and adopted.

**H. C. R. No. 8.**

The Chair laid before the Senate H. C. R. No. 8, as follows:

Whereas, The Chief Clerk is in receipt of a message from the Honorable Litcher Stark, accepting the invitation extended to him to address the Legislature in compliance with House Concurrent Resolution No. 1; and

Whereas, Mr. Stark will be in town Monday;

Now, therefore, be it resolved, That the House and Senate go into a Joint Session Monday at 7:30 p. m. to hear the address of Mr. Stark.

The resolution was read and adopted.

**S. B. No. 21 on Third Reading.**

The Chair laid before the Senate as regular order, on its third reading and final passage.

S. B. No. 21, A bill to be entitled "An Act reorganizing the State of Texas into supreme judicial districts for the purpose of constituting and organizing Courts of Civil Appeals therein; creating the Eleventh Supreme Judicial District of Texas, with Eastland as the site of said court; providing for the appointment and qualification of the judges of said Eleventh Supreme Judicial District, and officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Eleventh Supreme Judicial District of Texas, and declaring an emergency."

The bill was read third time and passed

**Reasons for Vote.**

Please record me as voting "no" on S. B. No. 21, which makes appropriation for court at Eastland.

**STRONG.**

**S. B. No. 34 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 34, A bill to be entitled "An Act amending Section 22 of the Special Road Law of Brazoria County, the same being an Act of the

Thirty-third Legislature of the State of Texas, Local and Special Laws of the State of Texas, passed at the Regular Session in 1913, Chapter 63, page 219, by adding Section 22a, which provides for the construction of roads designated as State highways, either within the district or without the district furnishing the money, but not more than one-fourth mile from such district; providing for the procuring of right of way for such roads, and for right of way for drainage and construction of drainage of such roads; providing for the control of the construction by the commissioners' court of Brazoria County, and for the payment out of fund of the road district where the items of expense and contracts have been approved in writing by the commissioners of the road district furnishing the money; and declaring an emergency."

The bill was read second time, the committee report that it be not printed, was adopted and the bill passed to engrossment.

**S. B. No. 34 on Third Reading.**

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 34 was put upon its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

Absent.

Davis.

Absent—Excused.

Witt.

The Chair then laid S. B. No. 34 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

Absent.

Davis.

Absent—Excused.

Witt.

#### S. B. No. 33 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 33, A bill to be entitled "An Act to amend Article 927, Chapter 6, Title 22, of the Revised Civil Statutes of the State of Texas, 1911, by substituting thereof language making it possible for cities and towns to assess and collect a poll tax from all its inhabitants, at the city's option (idiots and lunatics excepted), and declaring an emergency."

The bill was read second time and passed to engrossment.

#### S. B. No. 33 on Third Reading.

On motion of Senator Thomas, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 33 was put upon its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Doyle.
Baugh.	Fairchild.
Bledsoe.	Floyd.
Bowers.	Holbrook.
Burkett.	Lewis.
Clark.	McMillin.
Cousins.	Murphy.
Darwin.	Pollard.

Rice.	Turner.
Ridgeway.	Watts.
Rogers.	Wood.
Strong.	Woods.
Thomas.	

Present—Not Voting.

Stuart.

Absent.

Davis.

Wirtz.

Parr.

Absent—Excused.

Witt.

The Chair then laid S. B. No. 33 before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### S. B. No. 11 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 11, A bill to be entitled "An Act providing additional means for the collection of taxes on personal property and poll taxes which have been reported on the insolvent list as uncollected following the 31st of March of each year by the county tax collectors of the State of Texas and also for the collection of taxes on personal property having escaped taxation, and declaring an emergency."

The bill was read second time, and on motion of Senator Thomas was laid on the table subject to call.

#### S. B. No. 38 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 38, A bill to be entitled "An Act extending oil and gas permits on lands which are now or have been in the possession or under the control of the Federal Receiver appointed by the Supreme Court of the United States for such periods of time respectively as such lands have been or may be in such receiver's possession or under his control, and declaring an emergency."

The bill was read second time, and on motion of Senator Rogers was laid on the table subject to call.



**S. B. No. 51 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 51, A bill to be entitled "An Act providing that all fees remitted by county superintendents to the State Department of Education for teachers' examinations authorized in Section 7, Chapter 129 of the General Laws of the Regular Session of the Thirty-seventh Legislature, also all fees remitted to the State Department of Education by conductors of summer normal institutions, and also any other fees collected by the State Department of Education for any purpose whatsoever, shall be paid to the State Treasurer, and providing that such fees shall be appropriated and expended by the Legislature from time to time, and declaring an emergency."

The bill was read second time and the committee report that it be not printed was adopted.

Senator Rogers offered the following amendment to the bill:

Amend S. B. No. 51 by adding at the end of Section 1, the following, a new section to be known as Section 2:

"Sec. 2. All money now in said fund and all money that may come into said fund during the next two fiscal years, is hereby appropriated to the Department of Education to be used by said Department as provided by Chapter 129 of the General Laws of the Regular Session of the Thirty-seventh Legislature, and by striking out the last sentence in Section 1, and by renumbering the emergency clause as Section 3."

The amendment was adopted.

Senator Pollard moved to postpone further consideration of the bill indefinitely.

Yeas and nays were demanded, and the motion to postpone was lost by the following vote:

Yeas—11.

Bledsoe.	Ridgeway.
Darwin.	Rogers.
Floyd.	Stuart.
Holbrook.	Thomas.
Murphy.	Wood.
Pollard.	

Nays—14.

Bailey.	Parr.
Baugh.	Rice.
Clark.	Strong.
Doyle.	Turner.
Fairchild.	Watts.
Lewis.	Wirtz.
McMillin.	Woods.

Absent.

Bowers.	Cousins.
Burkett.	Davis.

Absent—Excused.

Witt.

Senator Pollard moved to reconsider the vote by which the amendment by Senator Rogers was adopted.

On motion of Senator Clark, the motion to reconsider was tabled.

Question then recurred on the passage of the bill to engrossment.

Yeas and nays were demanded, and the bill was passed to engrossment by the following vote:

Yeas—16.

Bailey.	Parr.
Baugh.	Rice.
Burkett.	Strong.
Clark.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

Nays—11.

Bledsoe.	Pollard.
Bowers.	Ridgeway.
Darwin.	Rogers.
Floyd.	Stuart.
Holbrook.	Thomas.
Murphy.	

Absent.

Cousins.	Davis.
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Absent—Excused.

Witt.

**S. B. No. 41 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 41, A bill to be entitled "An Act amending statutes relative to elections, general and primary, and the requirements of poll tax receipts; amending Article 2949 of the

Revised Civil Statutes of the State of Texas of 1911, requiring poll tax receipts to show the name of the political party to which the person to whom it is issued belongs; amending Article 2950 of the Revised Civil Statutes of the State of Texas of 1911, requiring that every poll tax receipt form shall show the political party to which the person to whom such receipt is issued belongs; amending Article 2953 of the Revised Civil Statutes of the State of Texas of 1911, requiring that exemption certificates shall state the name of the political party to which the person procuring such certificate belongs; amending Article 2956 of the Revised Civil Statutes of the State of Texas of 1911, requiring duplicate copy of poll tax receipts and certificates of exemption to show the name of the political party of the person to whom such receipt or certificate of exemption is issued; amending Article 2961 of the Revised Civil Statutes of the State of Texas of 1911, requiring that lists of poll tax payers show the name of the political party to which each of such tax payers belongs; providing a new section to be numbered 2961a, providing that during the month of April in any year voters may change their party affiliations and requiring a record be kept of such changes and requiring further that a list of voters changing party affiliations shall be furnished presiding judges of all party primary elections; amending Article 3116 of the Revised Civil Statutes of the State of Texas of 1911, by providing that the list of voters used in the primary elections shall show the name of the political parties to which such voters belong, respectively; and providing that persons who have declared themselves to belong to one political party shall not be allowed to vote in a primary election of any other party; amending Article 3118 of the Revised Civil Statutes of the State of Texas of 1911, by providing that the same precautions provided by law to secure the purity of ballot box of general elections shall in all respects apply to primary elections."

The bill was read second time.

On motion of Senator Wirtz, further consideration of the bill was postponed until next Friday after the

morning call, and the bill was made a special order for that hour.

#### S. B. No. 42 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 42, A bill to be entitled "An Act to make it unlawful for any political party in this State to hold a primary election for the nomination of a candidate for the office of a judge of any district court, criminal district court, Court of Civil Appeals, Court of Criminal Appeals or Supreme Court of Texas, and prohibiting the placing of the name of any person nominated in whole or in part for either of said offices in a primary election on the official ballot at any general election; providing the manner and mode of certifying the names of the nominees of any political party; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read second time and the committee report that it be not printed was adopted.

Senator Parr offered the following amendment to the bill:

Amend S. B. No. 42 by striking out the words "district judges" wherever they appear in the bill.

Yeas and naves were demanded and the amendment was adopted by the following vote:

#### Yeas—16.

Burkett.	Pollard.
Clark.	Rice.
Darwin.	Ridgeway.
Dovle.	Rogers.
Floyd.	Stuart.
Lewis.	Turner.
Murphy.	Watts.
Parr.	Woods.

#### Nays—10.

Bailey.	Holbrook.
Baugh.	Strong.
Bledsoe.	Thomas.
Bowers.	Wirtz.
Fairchild.	Wood.

#### Absent.

Cousins.	McMillin.
Davis.	

#### Absent—Excused.

Witt.

**Message from the Governor.**

The Chair laid before the Senate and had read the following message from the Governor:

Governor's Office,

Austin, Texas, May 4, 1923.

To the Members of the Thirty-eighth Legislature, Second Called Session.

Gentlemen: A people who do not preserve and cherish the heroic achievements of their noble ancestry, will achieve nothing worthy to be enrolled on the scroll of fame by their descendants. A land without sacred shrines is a land without liberty. "A land with a grave in each spot, and names on the graves that shall not be forgot," is the land that tells the thrilling story of the triumph of right over wrong. Texas has a grand, glorious, victorious history. On the field of battle her patriotic pioneers won their liberty and built a national life all their own. They kissed the lips of immortality at Goliad; they willingly poured out their life's blood in the Alamo; they marched to victory at San Jacinto. From the Sabine to the Rio Grande, they left their "footprints on the sands of time." The trails they traveled should be our pride. Texas has not been thoughtful in preserving her legends, in cherishing her traditions, in marking her historic spots, in immortalizing her heroes. Those who won our freedom and wrought out our early civilization, should not only be panegyricized in song and story, but should be immortalized in marble and in bronze, not only as a deserving tribute to their memory, but as a help, a hope, and an inspiration to the children of this and all the generations that are yet to be. Historic places, historic names, and historic things should all be jealously guarded. To forget them is to prove ourselves unworthy of them. Stones and statues of patriotism, monuments to the pioneers and patriots whose daring and dauntless courage bequeathed to us our richest heritage, should be erected by loyal and loving hands on Texas soil, with Texas money, and from Texas granite, wherever these heroes fought and wrought for God and humanity. Texas heroism should be protected as well as Texas commerce. Our history should be respected and transmitted to posterity untarnished and

undimmed. Therefore, I hereby submit to you for whatever action your patriotism and wisdom may direct, the gathering of historic data, the preservation of historic relics, the marking of historic spots, the purchase of historic grounds, and the erection of fitting monuments in memory of the heroes and the heroic achievements that consecrated, sanctified, and made immortal the glorious and resplendent pages of Texas history. For this laudable undertaking it is suggested that a committee of five be named to serve without compensation, to be known as "The Texas Historical Board" to gather and present to the Legislature at each regular session, data and recommendations looking to the preservation, not only of early Texas history, but history now being made that ought to be sacredly kept for coming generations.

Respectfully submitted,

PAT M. NEFF,

Governor.

**Recess.**

Senator Clark moved that the Senate recess until 2 p. m. today.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—9.

Floyd.	Strong.
Murphy.	Turner.
Pollard.	Wirtz.
Rice.	Woods.
Ridgeway.	

Nays—13.

Baugh.	Lewis.
Bledsoe.	McMillin.
Bowers.	Parr.
Burkett.	Rogers.
Clark.	Stuart.
Darwin.	Wood.
Holbrook.	

Absent.

Bailey.	Fairchild.
Cousins.	Thomas.
Davis.	Watts.
Doyle.	

Absent—Excused.

Witt.

On motion of Senator Wood, the Senate at 12:05 p. m. recessed until 1:30 p. m. today.

**Afternoon Session.**

The Senate met at 1:30 p. m. and was called to order by President Pro Tem Murphy.

**Addition to Committee.**

Senator McMillin was added to the Committee on Public Health, on motion of Senator Floyd.

**S. B. No. 44—Ordered Printed in the Journal.**

On motion of Senator Bowers, S. B. No. 44, which was reported adversely, was ordered printed in the Journal.

**Excused.**

Senator Davis for today, tomorrow and Monday, on account of important business, on motion of Senator Burkett.

Senator Rogers for today, on account of important business, on motion of Senator Pollard.

**H. B. No. 10—Set as Special Order.**

Senator Wood moved that H. B. No. 10 be set as a special order after the morning call tomorrow (Saturday), and the motion prevailed.

**H. B. No. 1—Set as Special Order.**

Senator Wood moved that H. B. No. 1 be set as a special order for Monday, after the morning call.

Senator Cousins moved that the bill be set as a special order for Tuesday, after the disposition of the special order (S. B. No. 41), set for that date, and the motion was lost.

Senator Pollard moved that the bill be set as a special order for 4 p. m. today, and the motion was lost.

The motion to set as special order for Monday after the morning call prevailed.

**Resignation of Postmistress.**

Austin, Texas, May 3, 1923.  
Lieutenant Governor T. W. Davidson,  
Senate Chamber,  
Austin, Texas.

My Dear Sir: I hereby tender my

resignation as postmistress for the Senate, effective '8 o'clock a. m., Monday, May 7, 1923.

Yours very truly,  
ANNIE ALLEN.

**S. R. No. 24.**

By Senators Pollard, Burkett and Stuart:

Whereas, Major H. M. Hickman, a distinguished hero of the World War, and a flying officer of great recognition and ability, in charge of flying at Kelly Field, Texas, is now within the presence of the Senate; therefore, be it

Resolved, That he be invited to address the Senate and extend to him the privileges of the floor.

The resolution was read and adopted.

The Chair appointed Senators Pollard, Burkett and Clark as a committee to escort Major Hickman to the President's stand.

Being presented by Senator Wood, Major Hickman addressed the Senate.

(Senator Wood in the Chair.)

**S. R. No. 25.**

By Senator Wirtz:

Whereas, Miss Annie Allen, the postmistress of the Senate, has tendered her resignation, effective 8 o'clock a. m. Monday, May 7, 1923; now, therefore, be it

Resolved, That her resignation be accepted, and that Miss Reese Williamson be appointed postmistress for the Senate, effective from said date.

The resolution was read and adopted.

**S. B. No. 42 on Engrossment.**

The Senate resumed consideration of S. B. No. 42, relating to the method of nominating candidates for judges of the various courts, on its passage to engrossment.

Senator Pollard offered the following amendment to the bill:

Amend S. B. No. 42 by striking out the words "judge and judges" wherever they occur.

Senator Murphy moved to postpone further consideration of the bill indefinitely.

Senator Murphy moved the previous question on the motion to postpone and the main question was ordered.

Question: Shall the bill be postponed indefinitely?

Yeas and nays were demanded, and the motion to postpone prevailed by the following vote:

Yeas—14.

Bledsoe.	Pollard.
Clark.	Rice.
Cousins.	Ridgeway.
Darwin.	Stuart.
Floyd.	Turner.
McMillin.	Wood.
Murphy.	Woods.

Nays—7.

Baugh.	Strong.
Doyle.	Thomas.
Holbrook.	Wirtz.
Parr.	

Absent—Excused.

Davis.	Witt.
Rogers.	

(Pairs Recorded.)

Senator Burkett (present), who would vote yea; with Senator Fairchild (absent), who would vote nay.

Senator Bowers (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Watts (present), who would vote yea; with Senator Bailey (absent), who would vote nay.

#### S. B. No. 58—Ordered Printed in the Journal.

On motion of Senator Floyd, by unanimous consent, S. B. No. 58, which was reported adversely, was ordered printed in the Journal.

#### S. B. No. 45 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 45, A bill to be entitled "An Act regulating motor trucks and jitney lines operating for hire on public roads and authorizing street, suburban and interurban railway companies to operate motor trucks or jitney lines for transportation of

passengers for hire in incorporated cities and towns subject to regulation by such cities or towns and within five miles thereof under regulation by commissioners' court of the county, and declaring an emergency."

The bill was read second time and passed to engrossment.

#### S. B. No. 45 on Third Reading.

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 45 was put upon its third reading and final passage by the following vote:

Yeas—20.

Bailey.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Turner.
Doyle.	Watts.
Floyd.	Wirtz.
Holbrook.	Wood.
Murphy.	Woods.

Nays—4.

Baugh.	McMillin.
Bledsoe.	Rice.

Absent.

Fairchild.	Thomas.
Lewis.	

Absent—Excused.

Davis.	Witt.
Rogers.	

The Chair then laid S. B. No. 45 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—17.

Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Stuart.
Darwin.	Turner.
Doyle.	Watts.
Floyd.	Wirtz.
Holbrook.	Wood.
Murphy.	Woods.
Parr.	

## Nays—7.

Bailey.	McMillin.
Baugh.	Rice.
Bledsoe.	Strong.
Cousins.	

## Absent.

Fairchild.	Thomas.
Lewis.	

## Absent—Excused.

Davis.	Witt.
Rogers.	

(Lieutenant Governor T. W. Davidson  
in the Chair.)

**S. B. No. 46 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 46, A bill to be entitled "An Act providing for the collection of delinquent taxes of levee improvement districts; providing a method of procedure thereof; and providing that same shall take effect and be in force from and after January 1, 1924; and declaring an emergency."

The bill was read second time, and on motion of Senator Darwin, was laid on the table subject to call.

**S. B. No. 47 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 47, A bill to be entitled "An Act to amend Article 7012½y, Revised Civil Statutes of the State of Texas, fixing the compensation of county tax collectors, for the collection of license fees on motor vehicles, tractors and trailers; exempting said fees from fee bill; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and on motion of Senator Holbrook, was laid on the table subject to call.

**S. B. No. 54 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 54, A bill to be entitled "An Act releasing the inhabitants of and property in Wharton County,

comprising one district and that portion of Matagorda County embraced in Commissioners Precincts Nos. 1, 2 and 4 as described in the minutes of the commissioners' court of said county, comprising another district, for a period of twenty-five years, from the payment of taxes levied for State purposes, because of great public calamities in said counties, as provided in Section 10 of Article 8 of the State Constitution, upon condition that each district above defined, respectively, shall be organized into a conservation and reclamation district and shall vote bonds of such district to prevent the recurrence of such calamities, and in cases of failure of either of said districts to organize and to vote such bonds by or before October 1, 1924, said Act shall become null and void, and said taxes shall be collected in the usual manner and paid into the public treasury, and declaring an emergency."

The bill was read second time.

Senator Holbrook offered the following amendment to the bill:

Amend S. B. No. 54, Section 2, line 9, as printed in the Senate Journal at page 165, by adding after the word "respectively" the following:

"For the purpose of opening said river, the construction of a new channel therefor where necessary, the building of levees, drainage canals, and other improvements where necessary, and the maintenance thereof."

And by adding at the end of said Section 2, after the word "calamities," the following, as shown on page 166 of the Senate Journal, May 2, 1923:

"Provided, however, that if the amount of taxes so collected shall be sufficient to retire said bonds and interest on same before the expiration of 25 years, then from and after the date of the retirement of said bonds the taxes shall revert to the State and be paid into the State Treasury as now provided by law."

The amendment was adopted.

S. B. No. 54 was then passed to engrossment.

**S. B. No. 54 on Third Reading.**

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days in

each House was suspended, and S. B. No. 54 was put upon its third reading and final passage by the following vote:

Yeas—22.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Parr.
Burkett.	Pollard.
Clark.	Rice.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wood.
Holbrook.	Woods.

Absent.

Bowers.	Thomas.
Lewis.	Wirtz.
Ridgeway.	

Absent—Excused.

Davis.	Witt.
Rogers.	

The Chair then laid S. B. No. 54 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—22.

Bailey.	Murphy.
Baugh.	Parr.
Burkett.	Pollard.
Clark.	Rice.
Cousins.	Ridgeway.
Darwin.	Strong.
Doyle.	Stuart.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wood.
McMillin.	Woods.

Absent.

Bledsoe.	Thomas.
Bowers.	Wirtz.
Lewis.	

Absent—Excused.

Davis.	Witt.
Rogers.	

#### S. B. No. 55 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 55, A bill to be entitled "An Act to amend Section 5, Chap-

ter 87, of the Acts of the Thirty-fifth Legislature of the State of Texas by providing for ordering of elections by the commissioners' court for the organization of water improvement districts; providing the questions to be submitted at such election. And to amend Section 7, Chapter 87, of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas, as amended by Chapter 28, Second Called Session of the Thirty-sixth Legislature of the State of Texas, providing for the manner of conducting elections, provided for in said Chapter 87; providing the qualifications for voters at such elections; prescribing the duties of the commissioners' court in canvassing the returns of such vote; the creation of water improvement districts; providing for the division of the proposed district into one or more election precincts; and providing polling places in such voting precincts; the appointment of judges and clerks to hold such election; providing a method of filling places on said election board; providing for printing of ballots and the matter to be contained thereon. And amending Section 9 of Chapter 87, of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas as amended by Chapter 28, Second Called Session of the Thirty-sixth Legislature of the State of Texas, by providing for returns to be made by the officers of such election. The canvass and returns showing the results of such election; the establishment of districts and making records thereof; the issuance of notes of said district for the purpose of defraying expenses of the organization, investigation, engineering, issuance of bonds, making and filing of maps and reports, all legal expenses connected therewith and all other costs and expenses authorized and made necessary by the provisions of this law; to sell said notes and for the levy and collection of taxes to provide for their payment; and to canvass votes for the directors; and declaring of result. And to amend Section 57, Chapter 87, of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas as amended by Chapter 28 of the Acts of the Thirty-sixth Legislature, Second Called Session, providing for the issuance of bonds; and execution of contracts with United States

Government; providing for the issuance of bonds sufficient to pay the first three years interest accruing on the bond issue authorized; and exempting the property situated in the district from taxes for that period except in an amount sufficient to pay the notes provided for in Section 3 of this amendment; providing for the limitation of the amount of bonds to be issued by the district organized under Article 52, Section 3, of the Constitution; and exempting districts organized under Section 59, Article 16, of the Constitution from such limitation; providing for the issuance of bonds for supplemental contracts with the United States; and the purchase of additional improvements where the same is found necessary by the directors; and the issuance of notices for elections to be held to authorize issuance of such additional bonds, or the making of supplemental contracts; providing for the issuance of bonds or notes to run not to exceed 20 years for the purpose of repairing damages to the improvements in the district where such damages have occurred; and providing for elections and notices of election where such supplemental bonds issues are made; limiting amount of notes to be issued; and providing for the payment of interest thereon to create a sinking fund with which to pay said notes at maturity; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### S. B. No. 55 on Third Reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 55 was put upon its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Floyd.
Baugh.	Holbrook.
Bledsoe.	Lewis.
Bowers.	McMillin.
Burkett.	Murphy.
Clark.	Parr.
Cousins.	Pollard.
Darwin.	Strong.
Doyle.	Stuart.
Fairchild.	Turner.

Watts.	Wood.
Wirtz.	Woods.

Absent.

Rice.	Thomas.
Ridgeway.	

Absent—Excused.

Davis.	Witt.
Rogers.	

The Chair then laid S. B. No. 55 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—24.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Wood.
Lewis.	Woods.

Absent.

Doyle.	Thomas.
Ridgeway.	

Absent—Excused.

Davis.	Witt.
Rogers.	

(Senator Fairchild in the Chair.)

#### S. B. No. 57 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 57, A bill to be entitled "An Act to extend for a period of five years from the passage of this Act Oil and Gas Permit No. 2609, issued June 11, 1918, in San Jacinto Bay, Harris County, Texas, said extension to be upon the same terms and conditions on which the original permit was issued, except that the owners who may desire to take advantage of this Act shall pay into the General Land Office within thirty days after the taking effect of this Act twenty-five cents per acre within



the permit, and fifty cents per acre within one year thereafter, and annually thereafter the sum of one dollar per acre so long as they may desire to hold same, or until oil or gas shall have been developed in paying quantities and a lease obtained therefor; providing for forfeiture; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### S. B. No. 57 on Third Reading.

On motion of Senator Murphy, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 57 was put upon its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

Absent.

Doyle.	Thomas.
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Absent—Excused.

Davis.	Witt.
Rogers.	

The Chair then laid S. B. No. 57 before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### S. B. No. 56 on Second Reading.

The Chair laid before the Senate as regular order, on second reading.

S. B. No. 56, A bill to be entitled "An Act to amend an Act entitled 'An Act creating and incorporating the Humble Independent School District in Harris County, out of the territory now composing Common School District No. 50 of said county; pro-

viding that the title of the school property vested in Common School District No. 50 shall vest in said Humble Independent School District and that said independent school district assume the debts of said Common School District No. 50; providing for a board of trustees of said Humble Independent School District; providing the time and manner of their election; defining their powers and duties, and declaring an emergency,' approved February 18, 1919, said Act as amended creating the Humble Independent School District and defining its boundaries; providing for the annexing of additional territory and the manner of annexing same; providing for the creation of a board of trustees of said independent school district, and defining their qualifications, powers and duties; providing that the members of the board of trustees of the Humble Independent School District as at present constituted shall continue in office, and defining their powers and duties; vesting in the board of trustees corporate powers and giving said independent school district, through its trustees, the power to make contracts, to be a party to actions in court; authorizing the trustees of said independent school district to receive gifts, grants, conveyances, donations, legacies, and devises for the use of the public free schools in said independent school district; authorizing the trustees of said independent school district to borrow money for school purposes and secure the same, and limiting the amount that may be borrowed; providing for filling vacancies on said board of trustees, for the administration of oaths or affirmations by the president and secretary; providing for a seal and its use; conferring upon said board of trustees plenary powers; providing for the election of trustees, the manner and time of holding said election, and prescribing the tenure of office of said trustees; providing for a board of equalization and prescribing the duties and powers of said board of equalization; providing for the removal of members of the board of trustees for misconduct; providing for the keeping of a record of the proceeds of said board of trustees for public inspection; providing for an audit of the books of accounts of said board of trustees and its publication; au-

thorizing said board of trustees to levy and collect taxes, and regulating the same; providing for tax elections, the time and notice of same; providing when taxes levied and assessed under this Act shall be due and payable; providing when the available school fund heretofore or hereafter apportioned to the schools within said district shall be paid; vesting title to property within said district, including any and all funds on hand belonging to the public schools within said district in the board of trustees; providing that the Attorney General of the State shall certify to the validity of bonds authorized by this Act; providing for the assumption of debts of Common School District No. 50, and of the Humble Independent School District created by Chapter 13 of the Special Laws of the Thirty-sixth Legislature; validating the official acts and proceedings of the board of trustees of the Humble Independent School District created by Chapter 13 of the Special Laws of the Thirty-sixth Legislature; providing that this Act shall be a public act of which the courts shall take judicial notice; vesting in said board of trustees all powers, and charging it with all the duties imposed by the General Laws now in force or hereafter enacted governing independent school districts; providing that the independent school district created by this Act shall succeed to the independent school district created by Chapter 13 of the Special Laws of the Thirty-sixth Legislature, and to all legal and valid obligations of said district or board thereof, and providing for the payment of said obligations; repealing all laws in conflict herewith, and providing that the invalidity of any portion hereof shall not impair the remainder of the Act, and declaring an emergency."

The bill was read second time, the committee report that it be not printed, was adopted and passed to engrossment.

#### S. B. No. 56 on Third Reading.

On motion of Senator Murphy, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 56 was put upon its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Davis. Witt.

The Chair then laid S. B. No. 56 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Davis. Witt.

#### S. B. No. 66 on Second Reading

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 66, A bill to be entitled "An Act creating and establishing the Lindsey County Line Independent School District, in Lubbock and Hockley Counties, Texas; defining its boundaries; providing for the election of boards of trustees to manage and control the schools of said district; authorizing said district to issue bonds, and to assume the payment of parts of the outstanding indebtedness against the school district

affected by this Act; and investing said district with the rights, powers, privileges, and duties of independent school districts organized or existing under general laws of the State, and declaring an emergency."

The bill was read second time, and on motion of Senator Bledsoe, was laid on the table subject to call.

#### S. B. No. 67 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 67, A bill to be entitled "An Act amending Section 9 of Chapter 31, Local and Special Laws of the State of Texas, passed at the First Called Session of the Thirty-seventh Legislature, by changing and increasing the rate of interest which the coupon bonds of the New Home Independent School District of Crosby County, Texas, issued for building purposes and for equipping said buildings, may bear; by providing that the trustees of said district shall have power to levy and collect a tax of not exceeding fifty cents on the one hundred dollars of taxable property within said district for the purpose of erecting, constructing, repairing and equipping, or either, of public free school buildings within the limits of said district and of purchasing sites therefor; validating a bond issue of \$8000.00 heretofore voted in said district and validating all proceedings in connection with such bond election; and declaring an emergency."

The bill was read second time, the committee report that it be not printed, was adopted, and passed to engrossment.

#### S. B. No. 67 on Third Reading.

On motion of Senator Bledsoe the constitutional rule requiring bills to be read on three several days in each House, was suspended, and S. B. No. 67 was put upon its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Burkett.
Baugh.	Clark.
Bledsoe.	Cousins.
Bowers.	Darwin.

Doyle.	Ridgeway.
Fairchild.	Rogers.
Floyd.	Strong.
Holbrook.	Stuart.
Lewis.	Thomas.
McMillin.	Turner.
Murphy.	Watts.
Parr.	Wirtz.
Pollard.	Wood.
Rice.	Woods.

Absent—Excused.

Davis.	Witt.
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The Chair then laid S. B. No. 67 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Davis.	Witt.
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#### S. B. No. 68 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 68, A bill to be entitled "An Act creating and incorporating Pansy Independent School District in Crosby county, Texas: defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that the Pansy Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of

Pansy Common School District No. 15, in Crosby County; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 15; providing that title to all property now vested in Pansy Common School District No. 15 shall, on the passage of the Act vest in Pansy Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the General Laws of Texas relating to independent school districts in matters where this Act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this Act shall not invalidate any remaining portion or provision, and declaring an emergency."

The bill was read second time, the committee report that it be not printed, was adopted, and passed to engrossment.

#### S. B. No. 68 on Third Reading.

On motion of Senator Bledsoe the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 68 was put upon its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Davis. Witt.

The Chair then laid S. B. No. 68 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Davis. Witt.

#### S. B. No. 52 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 52, A bill to be entitled "An Act amending Acts of the Thirty-seventh Legislature, First Called Session, Chapter 13, and providing for the reorganization of the Seventy-second Judicial District of Texas, fixing the times and terms of the District Courts in the several counties thereof, and naming them; providing that process bonds and recognizances made and grand and petit juries drawn, before this Act takes effect, shall be valid for and returnable to the terms as herein set forth; attaching the unorganized county of Cochran to Hockley County for judicial and all other purposes; fixing the time of taking effect of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time, the committee report that it be not printed, was adopted, and passed to engrossment.

#### S. B. No. 52 on Second Reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 52 was put upon its third reading and final passage by the following vote:

## Yeas—28.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

## Absent—Excused.

Davis.	Witt.
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The Chair then laid S. B. No. 52 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

## Yeas—28.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Wood.
McMillin.	Woods.

## Absent—Excused.

Davis.	Witt.
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(Senator Wood in the chair.)

## S. B. No. 30 on Passage to Engrossment.

Senator Fairchild called up S. B. No. 30 relating to penalties for the violation of the prohibition laws, which was read second time yesterday and laid on the table subject to call.

The Chair laid the bill before the Senate on its passage to engrossment.

Senator Darwin offered the following amendment to the bill:

Amend S. B. No. 30, page 1, line 22, by striking out the word "Thirty" and inserting in lieu thereof the word "Ninety."

The amendment was adopted.

Senator Darwin offered the following amendment to the bill:

Amend S. B. No. 30, page 1, line 2, by striking out the word "or" and inserting in lieu thereof the word "and."

The amendment was adopted.

Question—Shall S. B. No. 30 be passed to engrossment?

Yeas and nays were demanded and the bill was passed to engrossment by the following vote:

## Yeas—13.

Bailey.	Murphy.
Burkett.	Parr.
Clark.	Rice.
Cousins.	Strong.
Darwin.	Watts.
Doyle.	Wirtz.
Fairchild.	

## Nays—9.

Bledsoe.	Ridgeway.
Bowers.	Turner.
Floyd.	Wood.
Lewis.	Woods.
Pollard.	

## Present—Not Voting.

McMillin.

## Absent.

Baugh.	Stuart.
Holbrook.	Thomas.
Rogers.	

## Absent—Excused.

Davis.	Witt.
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(Lieutenant Governor Davidson in the chair.)

## S. B. No. 38 on Passage to Engrossment.

Senator Darwin called up S. B. No. 38 relating to oil and gas permits, which was read second time today and laid on the table subject to call.

The Chair laid the bill before the Senate and it was passed to engrossment.

## S. B. No. 38 on Third Reading.

On motion of Senator Darwin, the constitutional rule requiring bills to

be read on three several days in each House was suspended and S. B. No. 32 was put upon its third reading and final passage by the following vote:

Yeas—17.

Bowers.	Parr.
Burkett.	Pollard.
Cousins.	Rice.
Darwin.	Strong.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
McMillin.	Wood.
Murphy.	

Nays—2.

Lewis. Woods.

Present—Not Voting.

Bledsoe.

Absent.

Bailey.	Ridgeway.
Baugh.	Rogers.
Clark.	Stuart.
Holbrook.	Thomas.

Absent—Excused.

Davis. Witt.

The Chair then laid S. B. No. 38 before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### S. C. R. No. 14.

Senator Cousins moved to withdraw S. C. R. No. 14 from the Finance Committee and the motion prevailed.

The Chair then laid before the Senate, H. C. R. No. 14, as follows:

Whereas, Under the provisions of House Concurrent Resolution No. 22, approved April 4, 1917, House Concurrent Resolution No. 43, approved March 15, 1919, and House Concurrent Resolution No. 11, filed in the office of the Secretary of State, July 16, 1919, tender of first payment on purchase of the State's iron industry at Rusk, Texas, was made to the Prison Commission on behalf of L. P. Featherstone, the purchaser, on December 31, 1919, and pursuant thereto sale thereof was made to L. P. Featherstone by the Prison Commission, with the approval of the At-

torney General and the Governor of Texas, as evidenced by their deed to L. P. Featherstone, dated March 16, 1920; and

Whereas, Said sale was made in consideration of the payment of twenty-eight thousand, one hundred and twenty-five (\$28,125.00) dollars in cash, before delivery of said deed, and the sum of eighty-four thousand three hundred and seventy-five (\$84,375.00) dollars, evidenced by three (3) promissory notes of even date with said deed for the sum of twenty-eight thousand, one hundred and twenty-five (\$28,125.00) dollars each, executed by the said L. P. Featherstone, said notes being due and payable respectively one (1) year, eighteen (18) months, and two (2) years after their date, with interest at six (6%) per cent per annum, and said notes containing provisions for maturity in case of default, and to secure payment of said notes, as well as the performance of the other terms and conditions of said sale, said L. P. Featherstone executed and delivered a bond in the sum of one hundred thousand (\$100,000.00) dollars in favor of the State of Texas, with the following sureties thereon:

S. G. Burnett, C. T. Heisig, Joe Rosenthal, H. A. Perlstein, Ed Paggi, Hal G. Land, B. A. Steinhagen and Jno. L. Keith, all of Beaumont, Texas; and

Whereas, Said property has been conveyed by L. P. Featherstone to R. S. Collins and W. H. Lantz; receivers of Texas Steel Company; and

Whereas, The said L. P. Featherstone and Ed Paggi are both now dead; and

Whereas, Said property was conveyed by the said L. P. Featherstone before his death to R. S. Collins and W. H. Lantz, receivers of the Texas Steel Company; and

Whereas, Said receivers of said Texas Steel Company and the above named bondsmen are not now prepared to make payment of the above mentioned described indebtedness and will not be at its maturity which will become due on September 16th, 1923, and September 16th, 1924, but the above sureties on said bond have made full payment of said first mentioned note, together with all interest thereon as well as the interest

on the two notes which are yet unpaid; and

Whereas, The said receivers of the Texas Steel Company and the said sureties on the said L. P. Featherstone deceased's note or bond have expressed desire owing to the extreme business depression and financial stringency at present prevailing and because of lack of labor to operate the steel industry, to have the maturity of the 2nd and 3rd notes above described extended for a period of two years so that the 2nd of said notes will mature on September 16th, 1924, and the 3rd of said notes will mature on September 16th, 1925; and, therefore, be it

Resolved, By the Senate of the Thirty-eighth Legislature, the House of Representatives concurring, that the Governor and Prison Commission be and are hereby requested and directed to extend the date of maturity of said notes from their present maturity date to September 16, 1924, and September 16, 1925, conditioned upon the prompt payment of all interest upon said notes as same accrues and becomes payable annually, and conditioned further upon the said sureties upon said bond or note executed and delivered to the Prison Commission an instrument in writing consenting and agreeing to the aforesaid extension; and it being expressly stipulated that the aforesaid extension shall not be granted except on full compliance with the foregoing conditions, and shall not release the sureties on the original obligation, and provided such extension agreement shall be prepared and approved by the Attorney General of the State of Texas.

The resolution was read and adopted.

#### S. C. R. No. 16.

By Senators Wood and McMillin:

Providing for the continuance of the concession now being exercised by Arthur Nichols in the State Capitol Building, and Oscar Raines in the State Office Building for the sale of pies, cakes, sandwiches, drinks, candies, cigars and other miscellaneous articles.

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring,

Whereas, Arthur Nichols has for some time satisfactorily served those in the State Capitol and the public in conducting the stand in the State Capitol Building, and Oscar Raines has likewise served those in the State Office Building; and

Whereas, their places are and have been conducted in a sanitary and clean manner and they have been courteous and accomodating to all; now, therefore,

Be it resolved by the Senate, the House of Representatives concurring, that the said Arthur Nichols and Oscar Raines be permitted to continue, as heretofore, conducting their said stands for the sale of such articles and drinks and similar articles and drinks, and the Board of Control is hereby requested and directed to give the said Nichols and Rains continued permission for the sale of such articles and drinks including pies, cakes, sandwiches, cigars, milk, drinks and other articles of merchandise usually sold in such stands for which there may be demand.

The resolution was read and adopted.

#### H. B. No. 25—Set as Special Order.

On motion of Senator Bowers, H. B. No. 25 was set as a special order for next Wednesday after the morning call.

#### S. B. No. 40—Ordered Printed in the Journal.

On motion of Senator Bowers, S. B. No. 40 was laid on the table subject to call, and was ordered printed in the Journal.

#### Message from the House.

Hall of the House of Representatives, Austin, Texas, May 4, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 7, A bill to be entitled "An Act to appropriate six million dollars (\$6,000,000) out of the general funds of the State to aid all the public schools for the scholastic years beginning September 1, 1923, and ending August 31, 1925, the same to be

distributed as the available school funds are now distributed," with engrossed rider.

H. B. No. 51, A bill to be entitled "An Act amending Section 3 and Section 5 of an Act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to provide for the purchase and distribution by the State of free text books to the public school children of the State of Texas,' etc., being Senate bill No. 118, Chapter 29 of the Regular Session Laws, so as to prevent the unlawful expenditure of the State Text Book Fund and inhibit the unlawful purchase of unnecessary free text books, repealing all laws in conflict herewith, and declaring an emergency."

Has refused to engross H. B. No. 13, A bill to be entitled "An Act to appropriate \$200,000 out of the general revenue fund to be used in paying interest on warrants legally drawn against the general revenue fund when said warrants cannot be paid upon presentation to the State Treasurer and drawn between the dates of April 20, 1923, and March 15, 1924, and repealing all laws in conflict with this Act, and declaring an emergency" by a vote of 38 yeas, 64 nays.

H. C. R. No. 7, providing for public hearings before a joint committee of the House and Senate on a certain subject.

House refuses to concur in Senate amendments to H. B. No. 5, and requests the appointment of a free conference committee to adjust the differences between the two Houses. The following committee is appointed on part of the House: Wallace, Potter, Pope, Henderson of McLennan, and Abney.

H. C. R. No. 8, relating to the time of the address of Hon. Lutch Stark in compliance with H. C. R. No. 1.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair (President Pro Tem Senator Murphy) had referred, after their captions had been read, the following House bills:

H. B. No. 7, to Committee on Finance.

H. B. No. 51, to the Committee on Educational Affairs.

#### Bills Signed.

The Chair (President Pro Tem Senator Murphy) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. C. R. No. 6.

#### Adjournment.

Senator Parr moved the Senate adjourn until 10 o'clock next Monday, and the motion was lost.

On motion of Senator Woods, the Senate at 4:30 p. m. adjourned until 9:30 o'clock a. m. tomorrow.

#### APPENDIX.

##### Petitions and Memorials.

The Chair (Lieutenant Governor Davidson) offered and had read a telegram signed by the officers of the following womans' organizations of San Antonio: The W. C. T. U., The Federation of Womens' Clubs, Federation of Protestant Women, President of Womens' Club, The Voters' League, Mothers' Council and Latin Club, urging support of the House Bill No. 4, the Quo Warranto Bill.

Senator Burkett offered and had read telegrams from Stamford, San Antonio and Hamlin, urging opposition to Chiropractic Bill now pending in the Legislature.

Also a numerously signed petition from Pelosi, Taylor County, urging support of the 3% oil tax bill.

Senator Doyle offered petitions from Brazos County, urging support of revenue measures now pending, in order that school appropriations may be increased.

#### Committee Reports.

Senate Chamber,

Austin, Texas, May 4, 1923

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 32 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.



Senate Chamber,  
Austin, Texas, May 4, 1923  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 33 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,  
Austin, Texas, May 4, 1923  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 34 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,  
Austin, Texas, May 4, 1923  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 54 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,  
Austin, Texas, May 4, 1923  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 21 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,  
Austin, Texas, May 4, 1923  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 51 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,  
Austin, Texas, May 4, 1923  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 83, A bill to be entitled "An Act creating the Parks Independent School District in Stephens County, Texas, and defining its boundaries; providing for a Board of Trustees in said district; conferring upon said district and its Board of Trustees, all the rights, power, privileges and duties now conferred and im-

posed by the general laws upon Independent School Districts and the Boards of Trustees thereof; providing that the management and control of the public free school of said district shall be vested in a Board of Trustees composed of seven persons and providing for the election and qualification of said Trustees; providing for the appointment of a Tax Assessor and Collector and Board of Equalization for said district; and declaring an emergency."

Have had same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass and, being a local Bill, that it be not printed.

WOOD, Chairman.

Committee Room,  
Austin, Texas, May 4, 1923  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 84, A bill to be entitled "An Act to create the Roscoe Independent School District in Nolan County, Texas, including the present Roscoe Independent School District, providing for a Board of Trustees therefor, vesting said Independent School District and Board of Trustees with all the rights, powers, privileges and duties conferred upon Independent School Districts incorporated under the General Laws of Texas for school purposes only; providing that the Board of Trustees of the present Roscoe Independent School District shall continue to act as such until their successors are elected in accordance with the provisions of this Act and the General Laws of Texas and declaring an emergency."

Have had same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, May 4, 1923.  
Hon. T. W. Davidson, President of the  
Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 58, A bill to be entitled "An Act providing for the licensing of

chiropractors, for registering license granted to chiropractors and certain sworn statements required to be made by chiropractors, and providing for the duty of the county clerk in reference thereto; providing for the introduction of certain records and certain copies thereof in evidence and the effect of such evidence; defining the practice of chiropractic; providing for penalties for the violation of this Act; providing for and creating a State Board of Chiropractor Examiners, its appointment and defining the powers and duties of such board; providing for the qualification of its members, their term of office, the election of its officers, its meetings and the keeping of certain records pertaining to its proceedings; providing for fees to be paid by applicants for license and by licensed chiropractors; the disposition to be made of such fees, the suspending of licensees' licenses upon failure to pay certain fees; providing for the subjects in which applicants for license shall be examined, those entitled to examination and the manner of conducting such examination; providing for the right to practice chiropractic in the State of Texas, and the making of death and other certificates; providing for the refusing of the right to practice chiropractic to certain classes or persons; providing for the revocation of license to practice chiropractic of certain classes of persons; defining the word "Board" as used in this Act; providing for the preservation of several sections of this law; defining who is a practitioner or chiropractic and what is the chiropractic science; providing for penalties for the violation of this Act; repealing all laws and parts of laws in conflict herewith and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do not pass.

CLARK, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, May 4, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Public Health, to whom was referred S. B. No. 58, have had the same under consideration and report the same back to the

Senate with the recommendation that it do pass with the following amendments:

Amendment No. 1. Strike out all of Section 15 of said bill and renumber the sections accordingly.

Amendment No. 2. Amend Section 10 of said bill by adding between the words "Anatomy" and "Physiology," in line 10 of the original bill, the words "Bacteriology" and "Pathology" and "Diagnosis."

And that it be printed in the Journal and not otherwise.

FLOYD,  
McMILLIN.

Committee Room,  
Austin, Texas, May 4, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Federal Relations, have had

S. C. R. No. 13 under consideration, requesting Congress of the United States to recognize that Texas is entitled to a Congressman-at-Large, and to seat the Honorable E. W. Cole, the duly elected Congressman-at-Large from the State of Texas.

I am instructed by the Committee on Federal Relations to report said Concurrent Resolution, back to the Senate with recommendation that it do pass and be not printed.

STUART, Chairman.

Committee Room,  
Austin, Texas, May 4, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred

H. C. R. No. 5, a resolution approving the course of the United States Government in seeking to establish closer and friendlier relationship between the United States and the Republic of Mexico,

Have had the same under consideration, and I am instructed to report the same back to the Senate with recommendation that it do pass and be not printed.

STUART, Chairman.

Committee Room,  
Austin, Texas, May 4, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

S. B. No. 50, A bill to be entitled

"An Act to create the State Board of Agriculture; providing for the appointment of the members of said board; providing for the appointment by said board of a commission; defining the powers and duties of said board and commission; providing the term of office of the members of the said board and for the members of the commission; providing for mileage and per diem of the board, and making an appropriation therefor; providing for salaries of the commission; providing for the appointment of a Chief Clerk and fixing his salary; providing for qualifications of the members of the board and the commission; providing for meetings of board; providing for bond and oath of office for the members of the commission; providing for the transfer of the duties of the Commissioner of Agriculture, Live Stock Sanitary Commission and Commissioner of Markets and Warehouses to the Board of Agriculture and Commission of Texas; transferring the edible nuts division of the Agricultural Department to the A. & M. College; transferring the Feed Control, the Foul Brood Control and the Commercial Fertilizer Control to the Agricultural Commission of Texas; requiring annual reports; repealing Articles 4435, 4436, Chapter 6, Title 65, Revised Civil Statutes, 1911; repealing Article 7312, Chapter 8, Title 124, Revised Civil Statutes, 1911; repealing Section 2, Chapter 41, First Called Session, Thirty-fifth Texas Legislature; abolishing the Department of Agriculture and the office of the Commissioner thereof, the Live Stock Sanitary Commission of Texas and the office of Commissioners thereof and the Department of Markets and Warehouses and the office of Commissioner thereof; providing for office space and equipment, and transferring appropriations; and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with recommendation that it do pass and be printed in the Journal.

PARR, Vice-Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, May 4, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 49, A bill to be entitled "An Act to amend Article 740 of Chapter 4, Title 126, of the Revised Civil Statutes of the State of Texas of 1911, relating to the creation of a State Tax Board; fixing the annual salary of the State Tax Commissioner; providing that the provisions hereof with respect to such salary shall be superior to those of any other statute of this State conflicting therewith, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

Ridgeway, Vice-Chairman; Baugh, Strong, Stuart, Wirtz.

(Floor Report.)

Senate Chamber,

Austin, Texas, May 4, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 53, A bill to be entitled "An Act concerning the signing and execution of bonds and coupons of any county, city, political subdivision, defined district or school district of the State of Texas, validating all such bonds and coupons signed by the duly authorized officers who were such officers at the time of signing same, notwithstanding any changes in office subsequent to their execution and before their delivery; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed but be printed in the Journal.

Ridgeway, Darwin, Stuart, Wirtz, Clark, Rogers, Floyd.

Committee Room,

Austin, Texas, May 3, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on

Criminal Jurisprudence, to whom was referred

S. B. No. 19, A bill to be entitled "An Act to prohibit the manufacture, sale, barter, exchange, transportation, receipt, or possession of all alcoholic preparations of ginger,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

TURNER, Chairman.

Committee Room,

Austin, Texas, May 3, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 33, A bill to be entitled "An Act making it an offense to drive an automobile or any motor driven vehicle upon the streets of any incorporated city, town or village or upon the public highways while the driver is under the influence of intoxicating liquor; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be printed in the Journal only.

TURNER, Chairman.

Committee Room,

Austin, Texas, May 3, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 34, A bill to be entitled "An Act making it a felony for any person to carry on or about his person while violating the liquor laws any weapon or arm mentioned in Article 475 of the Penal Code; prescribing the penalty; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be printed in the Journal only.

TURNER, Chairman.

Committee Room,

Austin, Texas, May 3, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 48, A bill to be entitled "An Act making it unlawful for any person, firm or corporation, to sell, or offer for sale for human consumption any milk which has been so treated by any artificial means or process, as to cause same to have the appearance of containing more cream or butter fat than it actually contains and providing appropriate penalty for the violation thereof and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be printed in the Journal only.

TURNER, Chairman.

Committee Room,

Austin, Texas, May 3, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 63, A bill to be entitled "An Act providing for the execution of convicts, condemned to death, by electrocution; prescribing the procedure in such cases; providing the means for accomplishing the purposes of this Act and making an appropriation therefor; prescribing fees to be paid; repealing certain statutes, with saving clauses, and all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be printed in the Journal only.

TURNER, Chairman.

# FIFTEENTH DAY.

Senate Chamber,

Austin, Texas.

Saturday, May 5, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.